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Agenda item 14 (h)
Social and human rights questions:
human rights

Letter dated 6 July 1999 from the Chargé d'affaires a.i. of the Permanent Mission of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the President of the Economic and Social Council at the substantive session of 1999

I have the honour to transmit enclosed herewith the statement of the Government of the Republic of Serbia concerning the joint statement which was, under the auspices of the United Nations and the International Security Force in Kosovo, signed on 2 July 1999 in Pristina by the so-called representatives of the Serb people, bishop of Pristina Artemije and Momcilo Trajkovic with Hashim Taci. I would like to ask you to have it published as a document of the substantive session of 1999 of the Economic and Social Council under agenda item 14 (h).

(Signed) Branko BRANKOVIC
Ambassador
Chargé d'affaires a.i.

GE.99-63862 (E)

Annex

STATEMENT OF THE GOVERNMENT OF THE REPUBLIC OF SERBIA

The Government of the Republic of Serbia was informed today of the joint statement which was, under the auspices of the United Nations and the International Security Force in Kosovo (KFOR) representatives, signed on 2 July 1999 in Pristina, by the bishop of Pristina Artemije and Momcilo Trajkovic with Hashim Taci.

The Government of the Republic of Serbia expresses utmost indignation and condemns the attempts at manipulating the sentiments and the name of Serb people in Kosovo and Metohija by the United Nations representatives who orchestrated a meeting of the alleged "representatives of the Serb people" with the Albanian representatives. The reason for such indignation, which triggered fierce reaction among a great number of Serbs and Montenegrins from Kosovo and Metohija, are the following:

1. The alleged representatives of the Serb people (bishop Artemije and Momcilo Trajkovic) represent only themselves. The Serbs from Kosovo and Metohija and other peoples elect their representatives. They have not delegated this right to United Nations representatives. A United Nations representative has no right to designate which of the Serbs from Kosovo will represent the Serb interests.

2. The contents of the signed "document", which allegedly should be devoted to reconciliation and tolerance, which for the Government of the Republic of Serbia and the Serb people has always been a noble goal - has been grossly abused.

Before the eyes of the entire world, it is sought to portray that the alleged Serb representatives approve of, or to say the least, absolve the crimes of the terrorist Kosovo Liberation Army (KLA) and the crimes of the North Atlantic Treaty Organization (NATO). Both of them - the crimes of Albanian terrorists and the crimes of NATO, according to the signed "declaration" have been absolved both by United Nations representatives and by the so-called Serb representatives. Together, they go even further. They accuse the legitimate Yugoslav authorities of crimes for their legitimate resistance to terrorism of the Albanian separatist movement and the criminal aggression of NATO.

The Government points out that in 11 weeks, in which the "parties signatories" condemn the "crimes" of the regime - which have not been established by anyone nor can be established on the basis of accurate facts and truth - that in 11 weeks, 21,700 tons of NATO bombs have been dropped on Yugoslavia and that as the first bombs fell, the leadership of the Albanian separatist movement over Radio Tirana called upon its terrorist gangs to engage in killing across Kosovo and Metohija, which caused unforeseeable consequences in this territory. There is relevant material evidence to this effect as well as on NATO crimes and the crimes of terrorist gangs called KLA, which the authors of the "declaration" do not have.

There is an obvious intent on the part of the perpetrators of genocide against the Serb people to have someone on behalf of the Serb people absolve and annihilate the crimes of the KLA terrorists and NATO aggressor in the eyes of the world public and erase the countless victims and suffering of the Serb people and other peoples in Kosovo and Metohija, which unfortunately, even before the very eyes of the United Nations and KFOR representatives still take place, and to portray the defenders of the homeland as criminals. This is a historical disgrace, a repeated killing of the dead which deserves to be condemned in strongest terms by all citizens of Serbia and the entire world public.

There is a danger that such an act by United Nations representatives who staged this meeting erode in addition to legal also all moral principles upon which the United Nations rest. By such activity of the highest United Nations representatives, the crime is termed as law and the law is termed as a crime. The crimes are absolved, and the legitimate right of a State to self-defence is termed as a crime.

The Government of the Republic of Serbia wishes to draw the attention of the entire international public to this shameful attempt at deceit and to express indignation, which the United Nations representatives, who have been deployed in Kosovo and Metohija on the basis of a Security Council resolution, instead of implementing the resolution, and above all, guaranteeing the security of all in Kosovo and Metojiha - put themselves in the service of hushing up the crimes of NATO aggression against a sovereign country and hushing up the ruthless crimes of terrorists, unrecorded in history.

The Government of the Republic of Serbia deeply believes that by the continuation of a political process which is forward-looking and life in tolerance and democracy in Kosovo and Metohija, a lasting peace can be achieved and considers that political talks among legitimate, not just any representatives of all national communities, should start immediately.

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Letter dated 7 July 1999 from the Chargé d'affaires a.i. of the Permanent Mission of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the President of the Economic and Social Council at the substantive session of 1999

I have the honour to transmit enclosed herewith the letter of Mr. Zivadin Jovanovic, Federal Minister for Foreign Affairs of the Federal Republic of Yugoslavia addressed to the Secretary-General of the United Nations concerning the situation in the Federal Republic of Yugoslavia, the Republic of Serbia's province of Kosovo and Metohija. I would like to ask you to have it published as a document of the substantive session of 1999 of the Economic and Social Council under agenda item 14 (h).

(Signed) Branko BRANKOVIC
Ambassador
Chargé d'affaires a.i.

GE.99-63915 (E)

Annex

LETTER DATED 7 JULY 1999 FROM THE MINISTER FOR FOREIGN AFFAIRS OF THE FEDERAL REPUBLIC OF YUGOSLAVIA ADDRESSED TO THE SECRETARY-GENERAL

It is known that the Yugoslav side has fully, and on time, fulfilled all its obligations under Security Council resolution 1244 (1999) and the related documents. The competent State authorities of the Federal Republic of Yugoslavia and the Republic of Serbia have had regular contacts and cooperation with representatives of KFOR and UNMIK in Kosovo and Metohija, which is crucial for the further successful implementation of resolution 1244 and for a lasting political solution in Kosovo and Metohija.

Therefore, we were surprised to receive information on the "Joint Statement" signed in Pristina on 2 July, under the auspices of UNMIK and KFOR, by the alleged "representatives of the Serbian people", Bishop Artemije and Mr. Momcilo Trajkovic and by one of the leaders of the separatist and terrorist organization, the so-called "KLA", Hashim Tachi.

I should like to draw your attention to the fact that these persons, the alleged "representatives of the Serbian people", were not elected; they do not enjoy legitimacy, and cannot either represent or make undertakings on behalf of anyone but themselves. On the other hand, United Nations representatives in Kosovo and Metohija do not have the powers to choose or proclaim arbitrarily Serb or representatives of any other national community, and to promote them as participants of the political process. Providing sponsorship for these and similar activities by the United Nations mission (UNMIK, KFOR) is therefore in contravention of the letter and spirit of Security Council resolution 1244 (1999), and it represents an attempt to manipulate the sentiments and interests of Serbs in the province of Kosovo and Metohija.

That is why the above "document" is the result of the efforts to cover up the atrocities committed by the so-called "KLA", a terrorist organization, and to justify the two-month-old NATO aggression, in violation of the moral principles on which the world Organization is founded.

In this respect, I should like to underscore once again the important need for KFOR and UNMIK, in the performance of their mandates, fully to abide by the principle of the sovereignty and territorial integrity of the Federal Republic of Yugoslavia, and in particular in establishing an interim transitional administration in Kosovo and Metohija (operative paragraph 10 of resolution 1244). This includes respect for, and the unity of, the legal, economic and monetary systems as well as full respect for the legitimate representatives and institutions of the Republic of Serbia and those of the Federal Republic of Yugoslavia in Kosovo and Metohija.

Proceeding from the current real situation in the province still characterized by violence, usurpation, general physical and legal insecurity of non-Albanians, I request you, acting in accordance with your responsibilities and through your representative in Kosovo and Metohija, to ensure by way of appropriate initiatives in relation to the Security Council:

- Full compliance with the Security Council resolution, especially with regard to guarantees of a safe environment and full protection of citizens and their property;

- An end to terrorist acts such as daily murders and kidnapping of civilians, burning of homes and entire villages, destruction of Serbian medieval monasteries and cultural sites;

- Respect for the laws and principles of the State governed by the rule of law by everyone, in accordance with the sovereignty and territorial integrity of the Federal Republic of Yugoslavia;

- An immediate halt to the practice of unlawful, forcible taking and occupancy of private and State-owned property, particularly houses, flats, public institutions, headquarters of legitimate State and self-government authorities, private and public enterprises;

- Immediate restitution of all illegally and forcibly taken real estate to their rightful private and State owners, and reinstatement of those employed in the private and public sectors who were kicked out of their jobs because of the tacit and tolerant attitude by UNMIK and KFOR;

- Control and protection of the Yugoslav State border with Albania and Macedonia in the part towards Kosovo and Metohija, and guaranteed conditions for a normal work of Yugoslav customs, visa, passport and health officials at all international border crossings.

There is no doubt that our cooperation in the process of further implementation of Security Council resolution 1244 (1999) requires an early signing of the agreement between the Government of the Federal Republic of Yugoslavia and the United Nations. I therefore urge once again that our duly authorized representatives meet towards that end as soon as possible, either in Belgrade or in New York, and complete this important job in the mutual interest.

(Signed) Zivadin JOVANOVIC